

Ser. No. 09/788,388

Docket No. 1573.1002

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 1, 38, 75, and 80 have been amended, new claims 82 and 83 have been added, and claims 12, 56 and 76 have been cancelled without prejudice or disclaimer. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 2, 4-11, 13-36, 38, 39, 41-55, 57-73, 75, 77-78, 80, 81, 82 and 83 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

(a) it is believed that the amendments of claims 1, 38, 75, and 80 and addition of new claims 82 and 83 (corresponding to original claims 3 and 40) put this application into condition for allowance;

(b) the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed; and/or

(c) the amendments of claims 1, 38, 75, and 80 and addition of new claims 82 and 83 (corresponding to original claims 3 and 40) should not entail any further search by the Examiner.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at pages 3-9, numbered paragraph 6, claims 1, 2, 4-36, 38, 39, 41-73, 75-78, 80, and 81 were rejected under 35 U.S.C. §103(a) as being unpatentable over Norihiko (JP Publication Number 11-242545; hereafter, Norihiko) in view of Nishimoto et al. (JP Document No. H10-69482; hereafter, Nishimoto et al.). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and

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reconsideration is requested.

Claims 12, 56 and 76 have been cancelled without prejudice or disclaimer.

In amended claims 1, 38, 75 and 80 of the present invention, the degree of importance of the keyword stored in the memory is raised in response to the detection of an occurrence of the keyword in a message (see FIG.3, steps 220-214), and the degree of importance of the keyword is lowered in the absence of the keyword in messages. As shown in FIG. 3, steps 206-214, the degree of importance of the keyword may be lowered in response to the detection of an occurrence of a received message from another apparatus in response to the previous received message containing the keyword.

It is respectfully submitted that the combination of Norihiko and Nishimoto et al. neither teaches nor suggests claims of the present invention as amended.

In claims 22, 23, 59 and 60, the degree of importance of the keyword is changed in accordance with the operating conditions of the apparatus operated by a user, which is neither taught nor suggested by Norihiko and Nishimoto et al. in combination.

In Nishimoto et al., the degree of importance is determined only in accordance with the frequency of a keyword, and a transmitted message produced in the instant apparatus is not distinguished from received messages produced by other apparatuses. In contrast, in the present invention, a transmitted message is distinguished from received messages.

Thus, amended claims 1, 38, 75, and 80 are submitted to be patentable under 35 U.S.C. §103(a) over Norihiko (JP Publication Number 11-242545) and/or Nishimoto et al. (JP Document No. H10-69482), alone or in combination. Since claims 2, 4-11, 13-36, 39, 41-55, 57-73, 77-78, and 81 depend from amended claims 1, 38, 75 and 80, respectively, claims 2, 4-11, 13-36, 39, 41-55, 57-73, 77-78, and 81 are submitted to be patentable under 35 U.S.C. §103(a) over Norihiko (JP Publication Number 11-242545) and/or Nishimoto et al. (JP Document No. H10-69482), alone or in combination, for at least the reasons that amended claims 1, 38, 75 and 80 are submitted to be patentable under 35 U.S.C. §103(a) over Norihiko (JP Publication Number 11-242545) and/or Nishimoto et al. (JP Document No. H10-69482), alone or in combination.

NEW CLAIMS:

New claim 82 recites that the features of the present invention include that the apparatus according to Claim 1, further comprises means for deleting a keyword having a degree of importance lower than a threshold value, in accordance with original claim 3.

Nothing in the prior art teaches or suggests such. It is submitted that new claim 82

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distinguishes over the prior art.

New claim 83 recites that the features of the present invention include that the program according to Claim 38 further causes said processor to perform the deleting a keyword having a degree of importance lower than a given threshold value, in correspondence with original claim 40.

Nothing in the prior art teaches or suggests such. It is submitted that new claim 83 distinguishes over the prior art.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: February 7, 2005

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,
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on February 7, 2005

STAAS & HALSEY

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Date: February 7, 2005